

WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP

Intellectual Property Law
Patents • Trademarks • Copyrights

Ten Post Office Square
Boston, Massachusetts 02109
Tel. 617.542.2290 • Fax. 617.451.0313
www.wsglip.com

**RECEIVED
CENTRAL FAX CENTER**

DEC 12 2006

FACSIMILE COVER SHEET

DATE: December 12, 2006

TO: Examiner Michael C. Henry
TC Art Unit: 1623

Fax No.: (571) 273 8300

FROM: Holliday C. Heine, Ph.D.

No. of pages transmitted
(including this page): 2

Our File: UPITT-008XX

Time:

Your Ref: Application No. 10/659,063
Filed Date: September 10, 2003
Confirmation No.: 3827

Sent by: Rose

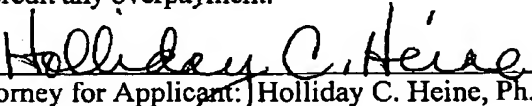
A confirmation copy of this transmission will not be mailed unless the following is checked: ☐
MESSAGE

PLEASE DELIVER DIRECTLY TO:
EXAMINER Michael C. Henry, Tel. (571) 272-0652
TC ART UNIT NO: 1623

FOR ENTRY

Enclosed for filing please find a: Notice of Appeal including a
Request for differential 3rd month Extension of Time

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional
filing fees associated with this communication or credit any overpayment.


Attorney for Applicant: Holliday C. Heine, Ph.D.
Registration No. 34,346

HCH/raw 345546.1

**THIS MESSAGE MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION INTENDED ONLY
FOR THE PERSON(S) IDENTIFIED ABOVE. IF IT HAS BEEN RECEIVED AT ANY OTHER PLACE OR HAS
NOT BEEN CLEARLY RECEIVED, PLEASE CALL THE ABOVE IDENTIFIED SENDING PARTY COLLECT
FOR INSTRUCTIONS. DO NOT SHOW OR DISTRIBUTE THIS MESSAGE TO ANYONE OTHER THAN THE
INTENDED RECIPIENT(S). THANK YOU.**

Rev 03/06

Application No. 10/659,063
Filed: September 10, 2003
TC Art Unit: 1623
Confirmation No: 3827

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP
Ten Post Office Square
Boston, Massachusetts 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

RECEIVED
CENTRAL FAX CENTER
DEC 12 2006

Date: December 12, 2006

Attorney
Docket No.: UPITT-008XX

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of: Mitchell P. Fink et al.

Entitled: EXTRACELLULAR NAD⁺ AND CADPR AS POTENT ANTI-INFLAMMATORY AGENTSVIA FACSIMILE

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated June 12, 2006 of the Examiner finally rejecting claims 1-6 and 8.

The Commissioner is authorized to charge payment of \$250.00 to Deposit Account No. 23-0804 for the cost of the Notice of Appeal.

The following checked items are appropriate:

A timely response to the final rejection:

[X] has been filed on October 12, 2006 [] is hereby filed

An extension of time to respond to the final rejection:

1. [] was requested on _____ for ____ month(s);
 2. [X] is hereby requested for a differential 3rd month Extension of Time. Payment was made for one month Extension of Time on October 12, 2006. The Commissioner is authorized to charge differential payment (\$510 - \$60 = \$450) of \$450.00 to Deposit Account No. 23-0804.
 3. [] is included on the enclosed amendment transmittal form along authorization to charge \$_____ to Deposit Account No. 23-0804 for the extension fee.
- [] In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- [X] The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Michael C. Henry, TC Art Unit 1623, Fax No. (571) 273 8300 Dec 12, 2006.

12/13/2006 TL0111 00000063 230804 10659063

01 FC:2253
02 FC:2401

450.00 DA
250.00 DA

Holliday C. Heine
Attorney of Record: Holliday C. Heine, Ph.D.
Registration No.: 34,346